THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 20427 of 2004

Dated: 28-09-2006

Between:

B.Chandra Rao

..... PETITIONER

AND

Deputy Transport Commissioner,
Secretary, R.T.A., Kakinada.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 20427 of 2006

O R D E R:

This writ petition is filed seeking a declaration that the order of the respondent dated 24.8.2006, in rejecting the request of the petitioner to release the vehicle i.e., bus bearing No.AP.05/Y-4568, from the coverage of the permit No.26/E/1989, held by him, is arbitrary and illegal.

When the matter is taken up for consideration, it is brought to my notice by the learned counsel for the petitioner that an identical question was considered by this Court in W.P.No.19514 of 2005, and the writ petition was disposed of by order dated 2.9.2005, with the following directions:

> "Hence, the writ petition is disposed of, directing that in case the petitioner insists that his vehicle be released for major repairs and he is not able to replace it with another vehicle, the respondent shall accede to such request, and he may, in turn, grant transport permit on the same route in favour of the owner of another vehicle, in accordance with law. There shall be no order as to costs."

The learned Government Pleader does not dispute the said fact.

Since the petitioner also stands on the same footing, following the said order, the impugned order is set aside and the writ petition is disposed of in terms of the above order in W.P.No.19514 of 2005. No costs.

G. ROHINI, J

Dated: 28-09-2006

Note: Issue C.C. in two days.

B/o

KLP